

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

VYACHESLAV TELYATITSKIY,

Defendant.

Case No. 15-CR-244-JPS

ORDER

On December 8, 2015, the grand jury returned a three-count Indictment against the defendant. (Docket #1). The government charged the defendant with access device fraud and aggravated identity theft in violation of 18 U.S.C. §§ 2, 1028A(a)(1), and 1029(a)(2). *Id.* On May 21, 2018, the parties filed a plea agreement indicating that the defendant agreed to plead guilty to Counts Two and Three of the Indictment, and that the remaining count would be dismissed at sentencing. (Docket #4 at 2–7).

The parties appeared before Magistrate Judge David E. Jones on May 21, 2018, to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #31). The defendant entered a plea of guilty as to Counts Two and Three of the Indictment. *Id.* After cautioning and examining the defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Jones determined that the guilty plea was knowing and voluntary, and that the offense charged was supported by an independent factual basis containing each of the essential elements of the offense. (Docket #31 and #32).

Thereafter, Magistrate Jones filed a Report and Recommendation with this Court, recommending that: (1) the defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared in accordance with the schedule to be set by the Court; and (3) the defendant be adjudicated guilty and have a sentence imposed accordingly. (Docket #32). Pursuant to General L. R. 72(c) (E.D. Wis.), 28 U.S.C. § 636(b)(1)(B), and Federal Rules of Criminal Procedure 59(b) or 72(b) if applicable, the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation.

To date, no party has filed such an objection.

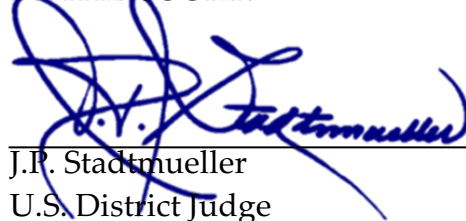
The Court has considered Magistrate Jones' recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge David E. Jones' report and recommendation (Docket #32) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 18th day of June, 2018.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge